

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

DONALD L. ACEVEDO,

Plaintiff,

v.

JOHN E. POTTER,  
Postmaster General  
United States Postal Service,

Defendant.

CIVIL NO.: 08-1468 (DRD/MEL)

**ORDER**

In response to plaintiff's contention that the majority of documentary support for defendant's statement of uncontested facts was not properly authenticated, defendant states in his reply that "the documents included as Defendant's exhibits, other than Plaintiff's deposition transcript, were all produced in response to Plaintiff's written discovery and were properly authenticated by agency counsel at that time." (Docket No. 36, pp. 1-2.) However, defendant's submissions leave it unclear whether the documents in question were actually produced as part of defendant's answers to plaintiff's interrogatories. (Docket Nos. 36, pp. 1-2; 36-1; 29-2.)

Defendant has seven (7) days to submit a sworn statement – or an unsworn statement under penalty of perjury – by Manager of Labor Relations Juan Delgado, authorized agent for the United States Postal Service, Caribbean District, certifying that each and every of the following exhibits were attached to defendant's answers to plaintiff's first set of interrogatories (Docket No 36-1), and are fair and accurate copies of those documents that were not altered in any way:

- Defendant's Ex. 2: Employee Evaluation and Probation Report (PS Form 1750) (Docket No. 29-4.);
- Defendant's Ex. 3: Duty Status Report (Form CA-17) for Plaintiff, dated 12/12/05 (Docket No. 29-5);
- Defendant's Ex. 4: Duty Status Report (Form CA-17) for Plaintiff, dated 12/14/05 (Docket No. 29-6);
- Defendant's Ex. 5: Agency's Health Unit Case Record for Plaintiff (Docket No. 29-7);
- Defendant's Ex. 6: Dr. Orruca's referral of Plaintiff to Dr. Justo Rodriguez for psychiatric evaluation, dated 12/16/05 (Docket No. 29-8);
- Defendant's Ex. 7: Dr. Justo Rodriguez's psychiatric evaluation, dated 12/29/05 (Docket No. 29-9);
- Defendant's Ex. 8: Medical Examination and Assessment (Form 2485) prepared by Dr. Martha Orruca for Plaintiff, dated 12/30/05 (Docket No. 29-10);
- Defendant's Ex. 10: Affidavit of Donald Acevedo in support of his appeal of the Final Agency decision (Docket No. 29-12); and
- Defendant's Ex. 11: Duty Status Report (Form CA-17) for Plaintiff, dated 1/18/06. (Docket No. 29-13.)

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 17th day of November, 2010.

s/Marcos E. López  
U.S. Magistrate Judge